



Job Safety and Health¹

U.S. Department of Labor

The Occupational Safety and Health Act of 1970, signed on December 29, 1970 is designed "...to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources."

In administering the Act, the Labor Department's Occupational Safety and Health Administration (OSHA) issues standards and rules for safe and healthful working conditions, tools, equipment, facilities, and processes. OSHA also conducts workplace inspections to assure the standards are followed.

The Act and the standards issued by OSHA apply to every private employer with one or more employees - except those covered by other Federal legislation such as the Atomic Energy Act and the Coal Mine Safety Act. Federal OSHA covers about 56 million employees at 3.6 million workplaces; the 25 states and territories which administer their own approved OSHA programs cover an additional 37 million employees at 2.4 million worksites. In states with OSHA-approved plans, employer and employee rights and responsibilities comparable to those under the Federal OSHA program are enforced by the States under their own laws and regulations.

Under the Act, employers have the general duty of providing their workers employment and a place of employment free from recognized hazards to safety and health, and must comply with OSHA standards.

When OSHA compliance officers discover hazards in establishments during inspections, employers may be issued citations listing alleged violations, and penalties and abatement periods may be proposed.

Employers may contest these before the independent Occupational Safety and Health Review Commission - a three-member board appointed by the President - which presumes the employer to be free of violations and puts the burden of proof on OSHA.

Employees must comply with standards and with job safety and health rules and regulations applying to their own conduct. They or their representatives have the right to file a complaint with OSHA requesting a workplace inspection; complainants' names may be withheld from the employer. They have the right, on request, to be advised of OSHA actions regarding their complaint and to have an informal review made of any OSHA decision not to inspect. Employees also may attend the employer's informal conference with OSHA to discuss any issues raised by inspection, citation, notice of proposed penalty or abatement period.

In developing new or amended standards, OSHA invites full participation by employers and employees and gives their views full consideration before issuing final standards.

Employers who want help in recognizing and correcting hazards and in improving safety and health programs can get in from a free consultation service largely funded by OSHA and delivered by State governments using well-trained professional staff. A booklet, "*Consultation Services for the Employer*" (OSHA 3047) is available through the OSHA Publications Office.

1. This document was published in 1993 as OSHA Fact Sheet No. 93-01. This is one of a series of fact sheets highlighting U.S. Department of Labor programs. It is intended as a general description only and does not carry the force of legal opinion.